

AMENDED IN SENATE MAY 24, 2013

AMENDED IN SENATE APRIL 16, 2013

SENATE BILL

No. 570

Introduced by Senator DeSaulnier

February 22, 2013

An act to add Section 6253.32 to the Government Code, relating to ~~local government~~ *public records*.

LEGISLATIVE COUNSEL'S DIGEST

SB 570, as amended, DeSaulnier. ~~Local government: public~~ *Public records: copy charges: retrieval.*

The California Public Records Act provides that any person may receive a copy of any identifiable public record from any state or local agency upon payment of fees covering direct costs of duplication or a statutory fee if applicable.

~~This bill would require the forms of payment accepted by a public agency to include credit card payment or another electronic payment option, if a request for a copy of records includes a total of 20 or fewer pages. The bill also~~

This bill would prohibit a public agency from charging for copies of records available in portable digital format (PDF), or for a copy of data that is extracted from a database, if new programming is not required to extract the data.

~~By increasing the duties of local public agencies responding to public records requests under certain circumstances, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~*no*.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6253.32 is added to the Government
2 Code, to read:
3 6253.32. (a) ~~If a request for a copy of records includes a total~~
4 ~~of 20 or fewer pages, the forms of payment accepted by a public~~
5 ~~agency shall include credit card payment or another electronic~~
6 ~~payment option.~~
7 (b) ~~Notwithstanding any other law, a public agency shall not~~
8 ~~charge for copies of records under either of the following~~
9 ~~circumstances:~~
10 (1) The records are available in portable digital format (PDF).
11 (2) The records consist of data extracted from a database, if new
12 programming is not required to extract the data.
13 SEC. 2. ~~If the Commission on State Mandates determines that~~
14 ~~this act contains costs mandated by the state, reimbursement to~~
15 ~~local agencies and school districts for those costs shall be made~~
16 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
17 ~~4 of Title 2 of the Government Code.~~